

REMARKS

1. In response to the Office Action mailed August 11, 2004, Applicants respectfully request reconsideration. Claims 1-30 were originally presented for examination. Claims 1-15 were allowed, claims 16, 20, 22, 25 and 26 were rejected and claims 17-19, 21, 23, 24 and 27-30 were objected to in the outstanding Office Action. By the foregoing Amendments, claims 16, 20 and 26 have been amended. Claims 31-36 have been added and no claims have been canceled. Thus, upon entry of this paper, claims 1-36 will be pending in this application. Of these thirty-six (36) claims, seven (7) claims (claims 1, 10, 16, 20, 26, 31 and 34) are independent. Based on the above Amendments and following Remarks, Applicants respectfully request that the outstanding objections and rejections be reconsidered, and that they be withdrawn. Further, Applicants asserts that these Amendments merely make explicit that which is implicit in the claims, and do not narrow the scope of the claims in any way.

Amendments to the Specification

2. Applicants have amended the Specification to correct various typographical and grammatical errors. No new matter has been entered. Entry is respectfully requested.

Art of Record

3. Applicants acknowledge receipt of form PTO-892 listing additional references identified by the Examiner.

Allowable Subject Matter & New Claims

4. Applicants note with appreciation the Examiner's indication that claims 1-15, 17-19, 21, 23, 24 and 27-30 recite allowable subject matter. Claims 1-15 include independent claims 1 and 10 and their respective dependent claims 2-9 and 11-15. Claims 17-19, 21, 23, 24 and 27-30 depend directly and indirectly from rejected base claims 16, 20 and 26.

5. Applicants have added new claims 31-33. New independent claim 31 includes recitations of original independent claim 16 and original dependent claim 19. Since new claim 31 comprises the essential limitations of a claim objected to by the examiner (claim

19), its base claim (claim 16) and all intervening claims (none), Applicants respectfully assert that new claim 31 is patentable over the art of record. New claims 32 and 33 depend from claim 31 and are patentable for at least the same reasons.

6. Applicants have added new claims 34-36. New independent claim 34 includes recitations of original independent claim 26 and original dependent claims 27 and 28. Since new claim 34 comprises the essential limitations of claims objected to by the examiner (claims 27 and 28), their base claim (claim 26) and all intervening claims (none), Applicants respectfully assert that new claim 34 is patentable over the art of record. New claims 35 and 36 depend from claim 34 and are patentable for at least the same reasons.

Rejection Of Claim 16 Under 35 USC §102

7. Independent claim 16 has been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,581,048 to Shores (hereinafter, "Shores"). Based upon the foregoing Amendments and following Remarks, Applicants respectfully request reconsideration and withdrawal of these rejections.

8. Shores is directed to a prefabricated lubricated shielding gasket to be installed, for example, between a door panel 22 and an enclosure 20 containing electronic equipment to provide an electromagnetic shield between the door panel and enclosure. The door panel 22 is fastened to the enclosure 20 by a plurality of fasteners 24 such as bolts. When tightened, bolts 24 draw the door and enclosure toward each other. The shielding gasket 10, which is positioned between the door panel 22 and enclosures 20, is squeezed by the door and enclosure as the bolts are tightened. (*See*, Shores, col. 4, ln. 65- col. 5, ln. 27; figs. 4, 5.)

9. The Examiner asserts that Shores anticipates Applicants' invention as recited in claim 16. The Examiner relies on the fact that Shores' shielding gasket 10 is squeezed between the enclosure 20 and door panel 22, as shown in figure 4 of Shores. Applicants respectfully disagree. Shores' shielding gasket 10 does not "protrude and contact the surface" as claimed. However, to facilitate prosecution of this application, Applicants have amended claim 16 to explicitly recite that which is implicit in this element of the claim. Specifically, as amended, claim 16 recites, *inter alia*, "squeezing the resilient EMI

gasket, thereby causing a portion of the resilient EMI gasket to come into contact with and be forced against the surface.” (See, amended claim 16, above.)

10. This feature is nowhere taught or suggested in Shores. When Shores’ shielding gasket 10 is positioned between door panel 22 and enclosure 20, it is already in contact with the surfaces that it contacts when compressed; in other words, squeezing Shores’ gasket 10 does to cause it “to come into contact with and be forced against” any surface. Nor is there any suggestion that gasket 10 come into contact with a surface other than door panel 22 and enclosure 20. For at least this reason, Applicants respectfully assert that claim 16, as amended, is patentable over the art of record. Claims 17-18, which depend from independent claim 16, are patentable for at least the same reasons.

Rejection Of Claims 20 and 26 Under 35 USC §102

11. Independent claims 20 and 26 and dependent claims 22 and 25 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,746,765 to Mallott (hereinafter, “Mallott”). Based upon the foregoing Amendments and following Remarks, Applicant respectfully requests reconsideration and withdrawal of these rejections.

12. Mallott is directed to a door seal to provide an EMI shield between a door leaf 6 and door frame 5. (See, Mallott, col. 3, lns. 40-65.) The door seal 26 is formed of coplanar layered flexible metal sheets aligned with and resting against a sealing surface 24 of door frame 5. (See, Mallott, col. 3, ln. 40 through col. 4, ln. 17.)

13. With regard to independent claims 20 and 26, the Examiner contends that the teachings regarding an inflatable seal 38 and piston pump 36 of Mallott anticipate Applicants’ claimed method. Applicants respectfully disagree.

14. The relevant portion of rejected claim 20 recites: “positioning an inflatable resilient EMI gasket in the space anterior to the surface; and inflating the inflatable resilient EMI gasket, thereby causing a portion of the inflatable resilient EMI gasket to come into contact with and forced against the surface.” (See, independent claim 20, above.)

15. In contrast, Mallott’s item 38 is an inflatable seal that is activated to create pressure along the sealing surface 24 to insure good contact between coplanar seal 26 and sealing surface 24. (See, Mallott, col. 4, lns. 46-49; Figure 5B.) Nowhere does Mallott disclose, teach or suggest that Mallott’s inflatable seal 38 is an “inflatable resilient EMI gasket” as

claimed. In fact, Mallott's inflatable seal has no EMI shielding capabilities. Rather, the inflatable seal applies the requisite pressure so that the surfaces 24 and 26 are tightly held against each other to prevent electromagnetic radiation from escaping through any gap that may exist between the two surfaces. (*See*, Mallott, col. 4, lns. 12-17.)

16. With regard to independent claim 26, Mallott neither discloses, teaches nor suggests "inserting the device into the housing; and after inserting the device into the housing, actuating an EMI gasket mechanism that does not rely on insertion force applied to the device." Specifically, Mallott, as noted, is directed to a door seal for a room, not installing a device into a housing, as claimed. Nothing disclosed in Mallott is analogous to inserting a device into a housing. Nor is there any teaching or suggestion of "actuating an EMI gasket mechanism ... after the insertion of the device in the housing in a manner that does not utilize insertion forces applied to the device." This is because Mallot fails to disclose an EMI gasket mechanism or the installation of a device into a housing. For at least these reasons, Mallott neither discloses, teaches nor suggests Applicants' invention as recited in independent claim 26.

17. With respect to Applicants' claimed piston pump, Mallott's piston 36 is not coupled nor can it be operated to inflate Mallott's inflatable seal 38. Rather, Mallott's piston 36 is used to lock door leaf 6 in place. (*See*, Mallott, col. 4, lns. 4-12.) Nowhere in Mallot is it taught or suggested that Mallot's piston pump 36 interoperates with an inflatable EMI gasket mechanism. Accordingly, Applicants respectfully request that the rejection of claim 22 based on Mallott should be withdrawn.

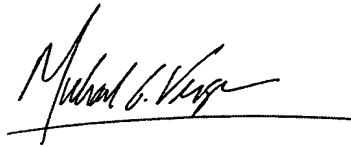
Dependent Claims

18. The dependent claims incorporate all of the subject matter of their respective independent claims and add additional subject matter which makes them a fortiori and independently patentable over the art of record. Accordingly, Applicants respectfully request that the outstanding rejections of the dependent claims be reconsidered and withdrawn.

Conclusion

19. In view of the foregoing, this application should be in condition for allowance. A notice to this effect is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael G. Verga", is written over a horizontal line.

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November 12, 2004